

DRAFT Summary Minutes of the
Delta Protection Commission Meeting
Thursday, January 24, 2013

Courtland Auditorium
146 Primasing Avenue
Courtland, California 95612

ADMINISTRATIVE AGENDA

1. Call to Order/Flag Salute.

Chair Nottoli called the meeting to order at 5:35 p.m.

2. Welcome Commission Members.

Chair Nottoli welcomed Commissioners and guests to the meeting. He also welcomed new Commissioner Skip Thomson to the meeting. Commissioner Thomson is a Supervisor with Solano County and replaces Commissioner Reagan.

3. Roll Call.

Present: Chair Nottoli; Vice Chair Ruhstaller; Commissioners Bugsch, Cabaldon, Ferguson, Ferrara, Scriven, Thomson and van Loben Sels. Absent: Commissioners McGowan, Piepho, and Schubert.

4. Public Comment. Opportunity for the Public to Address the Commission On Items Not on the Agenda

No one addressed the Commission.

CONSENT AGENDA

5. Approve Minutes of November 14, 2012.

6. Receive Update on Involvement With San Joaquin River Blueway Nomination Committee With Letter of Support for San Joaquin River Blueway.

Commissioner Cabaldon moved approval of the Consent Agenda; Vice Chair Ruhstaller seconded. The motion was approved 7:0:1 by voice vote. Commissioner Thomson abstained.

REGULAR AGENDA

7. Receive Presentation on Bay Delta Conservation Plan and Farmland Mitigation From Staff of the Department of Water Resources (DWR).

Katie Spanos, DWR, reported that DWR staff has developed a concept paper on the Bay Delta Conservation Plan (BDCP) and farmland mitigation. The proposal seeks to maintain agriculture and economic viability in the Delta by encouraging strategies that help provide multiple benefits such as flood protection, groundwater seepage protection, and improved water quality. The proposal is also designed to encourage discussions among the many interested parties about issues and opportunities, and potential effects on farmland and agriculture in the Delta. Ms. Spanos said that while the State has been involved for some time in the conversion of ag lands

for projects for flood protection and conservation, this concept is not part of the BDCP Environmental Impact Report/Environmental Impact Statement.

Chair Nottoli asked Ms. Spanos how the Commission and public could get involved, and the timeline for feedback. Ms. Spanos responded the DWR was not looking for a position from the Commission. She also said that DWR staff has done outreach to the five Delta County Farm Bureaus, but found some skepticism. She also said that another draft concept paper should be available by February.

Mark Wilson, Clarksburg, asked if there were water contractors at the outreach meetings. Ms. Spanos responded there were no water contractors at the meeting. She also said that DWR staff would look at the proposal to ensure it accurately reflects stakeholder thoughts.

8. Receive Presentation on Portfolio-Based Single Peripheral Tunnel Proposal

Jonas Minton, Planning and Conservation League, reported that there were 43 projects brought forth to the Governor by the Coalition to Support Delta Projects. Mr. Minton said he would like to see at least five more projects move and be forwarded to the Governor by the end of the year.

Mr. Minton also asked that the Commission write a letter to Ken Salazar, Secretary of the Interior, and John Laird, Secretary of the Resources Agency, to support an alternative to BDCP. This conceptual alternative would feature a smaller conveyance facility for a 3,000 cubic feet per second (cfs) diversion of the Sacramento River, provide investments in local water supply, regional coordination for storage south of the Delta, levee improvements, and habitat restoration. Mr. Minton said that this portfolio approach would be science-based, could produce superior benefits at a lower cost to water users and the public, and could have reduced environmental impacts.

Commissioner Ferrara stated that it was his understanding that the 3,000 cfs option had been studied.

Chair Nottoli directed Commission staff to write a letter to Secretary Ken Salazar of the U.S. Department of the Interior and Secretary John Laird of the California Natural Resources Agency, urging that the Portfolio-Based BDCP Conceptual Alternative be evaluated as an alternative conveyance under BDCP discussions.

Commissioner Ferrara also stated that the item was not listed on the agenda as an action item; therefore the Commission could not take action. Mike Crow, Office of the Attorney General, responded that as long as the item was not regulatory in nature, the Commission could take action on the item under the provisions of the Bagley-Keene Act.

Commissioner Nomellini stated that he would not support any isolated conveyance facility so would not support a letter requesting consideration.

After further discussions, Commission Thomson moved that a letter with specific language be sent to Secretaries Salazar and Laird asking for the review and analysis of a Portfolio-Based BDCP Conceptual Alternative; Vice Chair Ruhstaller seconded. The motion was approved 5:3:1

by roll call vote. (Ayes: Nottoli, Ferguson, Ruhstaller, Thomson and van Loben Sels; Noes: Cabaldon, Ferrara and Nomellini; Abstentions: Bugsch).

9. Receive Annual Report for 2012

Mike Machado noted that Commissioners had the Draft Annual Report for 2012 in their packets. The report highlights the Commission's activities, mandates and outreach for the year. Mr. Machado asked for feedback and approval of the report.

Commissioner Ferrara asked that sources on pages two and seven be cited.

Vice Chair Ruhstaller moved approval of the Draft Annual Report for 2012 with requested changes; Commission Ferrara seconded. The Draft Annual Report was approved unanimously by voice vote.

10. Receive Report on the Delta Protection Advisory Committee (DPAC) Meeting Held on December 11, 2012.

Mike Machado reported that DPAC held its second annual meeting. The agenda included an item to elect a chair; however, the committee could not do so as it lacked a quorum and could not vote. He said that a topic of discussion was the continuance of the committee and those present stated that DPAC should continue.

Chair Nottoli stated that he had received a letter from DPAC members expressing support of the committee and advocating for the committee's continuance.

Melinda Terry, North Delta Water Agency and DPAC member, stated that the committee is valuable to the Delta stakeholders and should continue. She suggested that the committee look at renewing, reviewing and making amendments to its charter. She also said she would make a commitment to be present at the meetings.

Commissioner Cabaldon stated that a lot of work went into forming the DPAC and that he appreciates Ms. Terry's position. He stated, however, that the Commission must consider that staff time is limited, and that staff should not be expected to continue to support DPAC if there is insufficient participation to accomplish its objectives.

Mr. Machado stated that staff will coordinate another DPAC meeting in fall of 2013.

11. Review and Discuss Correspondence.

Mike Machado reported that the Commission office received a letter from the Sacramento-San Joaquin Delta Conservancy requesting a joint board meeting to discuss opportunities for coordination and collaboration. Mr. Machado said that Commission was currently working with the Conservancy staff on the Great Delta Trail and economic development, and would like to hold off on any joint meeting pending further progress on those efforts.

Chair Nottoli commented that staff of both entities is continuing to meet, and will report progress on cooperative efforts. If staff are unable to further expand collaborations, then a joint meeting should be revisited.

13. RECEIVE Report From the Executive Committee and Executive Director, Including Informational Updates on Delta Stewardship Council and Delta Conservancy Activities, and Other Delta Initiatives.

Mike Machado reported that Marc Ceccarelli accepted a position with CalTrans; Alex Westhoff was promoted to Associate Environmental Planner; and Commission staff has embarked on updating the Strategic Plan, with assistance from retired annuitant Jim Nelson. Mr. Nelson will be contacting Commissioners for input.

Mr. Machado also reported the Governor's proposed budget continues funding for the Commission at the same level as last year's budget. Additionally, staff also continues to work with the Delta Conservancy and other state agencies relating to Delta issues.

14. Comments and Announcements From Members of the Commission.

There were no comments/announcements.

15. ADJOURN.

The meeting was adjourned at 7:55 p.m.